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STARBUCKS CORPORATION

9 UNITED STATES DISTRICT COURT

10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11
12 EMILEE CASS,

13 Plaintiff,

14 v.

15 STARBUCKS CORPORATION, a Washington
16 corporation, and DOES 1 to 50, inclusive,

17 Defendants.

Case No. C07 03549 JW

**DEFENDANT'S REQUEST TO
CONTINUE DEADLINES IN
SCHEDULING ORDER AND FOR
ORDER TO SHOW CAUSE WHY
THIS CASE SHOULD NOT BE
DISMISSED**

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20 On April 22, 2008, this Court granted Hinkle, Jachimowicz, Pointer & Emanuel's motion
21 to withdraw as counsel for Plaintiff Emilee Cass ("Plaintiff") and ordered Plaintiff to file a Notice
22 of Intent to Self-Represent or Notice of Identification of Substitute Counsel by May 22, 2008. To
23 date, Plaintiff has not filed any such notice, nor has she contacted Defendant Starbucks
24 Corporation to discuss the Joint Case Management Statement the Court has ordered the parties to
25 file by June 6, 2008. Additionally, on October 11, 2007, this Court issued a Scheduling Order
26 setting forth, amongst other things, deadlines relating to discovery, pre-trial disclosure, and
27 dispositive motions. Those deadlines are fast approaching. In particular, although Starbucks has
28 not received a single response to its discovery requests, according to the Court's Scheduling

1 Order, the parties are to lodge with the Court their written expert reports by today's date. Because
2 Starbucks cannot provide any expert disclosures or written reports unless and until it has an
3 opportunity to conduct fact discovery in this case, Starbucks will be severely prejudiced if it is
4 required to comply with the deadlines set forth in the Scheduling Order. Therefore, Starbucks
5 respectfully requests that the Court continue the deadlines as set forth in its Scheduling Order for
6 at least 120 days and allow Defendant to file a Case Management Statement separately.

7 Furthermore, Hinkle, Jachimowicz, Pointer & Emanuel's motion to withdraw and the
8 Declaration of Amy Carlson reveal that Plaintiff has neglected the prosecution of this action.
9 Therefore, Starbucks respectfully requests that this Court set a date for an Order to Show Cause
10 why this action should not be dismissed.

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12 DATED: June 2, 2008

PERKINS COIE LLP

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14 By: _____ /s/
Jonmi N. Koo

15 Attorneys for Defendant
16 STARBUCKS CORPORATION

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